United Nations CEDAW/C/BEN/CO/4/Add.1

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
13 September 2017
English
Original: French

Committee on the Elimination of Discrimination against Women

Concluding observations on the fourth periodic report of Benin

Addendum

Information provided by Benin in follow-up to the concluding observations*

[Date received: 8 September 2017]

Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

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Introduction

1. The present report was prepared as a supplement to the fourth periodic report of Benin on the elimination of all forms of discrimination against women.

2. It provides up-to-date information on the recommendations of the Committee on the Elimination of Discrimination against Women, specifically those contained in paragraphs 29 (e) and 33 (a).

3. Pursuant to the Committee's concluding observations on the fourth periodic report of Benin adopted at its fifty-sixth session, the present follow-up report is the result of an inclusive national consultation process, in which government and civil society actors contributed to information-gathering under the coordination of the Prison Administration and Human Rights Directorate of the Ministry of Justice and Legislation.

4. The present report was considered and approved at a national workshop attended by representatives of the various line ministries concerned.

5. The report takes stock of the developments that have taken place between 2013 and 2017 with regard to the two recommendations.

Recommendation 29 (e)

6. Benin has yet to ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189). However, it has asked the International Labour Office for technical and financial support in order to carry out a study on the compliance of its national legislation, which is a prerequisite for the ratification process.

7. Benin has adopted the Children's Code (Act No. 2015-08 of 8 December 2015). Some of the Act's provisions, specifically sections 3, 4 and 5, regulate the work of *vidomegons* (children placed with foster families). Individuals who violate those provisions are liable to imprisonment or a fine, as set out in articles 353, 362 and 363 of the Children's Code.

(a) Pursuant to article 353, "anyone who disregards, flouts or violates the rights of the child as enshrined in the present Act shall be liable to imprisonment of between six (6) months and five (5) years and a fine of between one hundred and fifty thousand (150,000) and five hundred thousand (500,000) CFA francs".

(b) Pursuant to article 362, "parents or any other individuals who force a child under the age of fourteen (14) to work as a street vendor shall be liable to a fine of between one hundred thousand (100,000) and one hundred and fifty thousand (150,000)".

(c) Pursuant to article 363, "anyone guilty of abusing a *vidomegon* shall be liable to imprisonment of between six (6) months and two (2) years and a fine of between two hundred thousand (200,000) and five hundred thousand (500,000) CFA francs, without prejudice to the stiffer penalties set out in the Criminal Code in the event of injury, disability or death.

8. Benin has also adopted a national child protection policy, together with a plan of action approved in 2016. In addition to legislation, practical measures have been taken on the ground. These include:

(a) The carrying out of a national survey in 2013 on child labour in the three main markets of Benin, as a result of which seven thousand eight hundred and eighty two (7,882) children aged 5 to 17 were identified as being in a situation of economic exploitation;

(b) The holding of awareness-raising campaigns aimed at market-goers in special status cities, specifically Cotonou, Porto-Novo and Parakou, by the Ministry of Labour with support from the United Nations Children's Fund. At the end of the 2017 awareness-raising campaign, inspections were carried out and six hundred and twenty six (626) children under the age of 14 were identified as being in a situation of economic exploitation. Eighty (80) of the children were taken away as a matter of course and provided with psychosocial support by the Central Office for the Protection of Minors and the Prevention of Human Trafficking so that they could be returned to their families;

(c) The development and implementation of a national action plan to combat the worst forms of child labour. The goal of the plan is to ensure, as a priority, that such forms of labour are eliminated by 2015. The plan revolves around six primary areas:

- Harmonization of the legal framework;
- Information, awareness-raising and advocacy;
- Education and training;
- Reduction of households' socioeconomic vulnerability;
- Protection and care of victims of the worst forms of child labour, including the monitoring of children;
- Expansion of knowledge bases and strengthening of institutional mechanisms for achieving and maintaining the changes called for by the national action plan.

9. The plan is due to be evaluated in December 2017.

10. With regard to the monitoring of the working conditions of children employed as *vidomegons*, it should be noted that the social legislation in force does not provide for home inspections. However, when victims of domestic work report their cases to the labour inspectorate, it supports them in exercises their rights, even though the relevant statistical data is not yet available.

11. With regard to girls' enrolment in school, the following measures have been taken:

(a) Exemption from school fees for all students in preschool and primary school;

(b) Exemption from school fees for girls in secondary school;

(c) Partial exemption from school fees for girls in technical and vocational schools;

(d) Arrangements for keeping economically vulnerable girls in school.

Recommendation 33 (a)

12. Act No. 2005-31 of 10 April 2006 on the prevention, treatment and control of HIV/AIDS is being revised.

13. The care of persons living with HIV/AIDS includes medical, psychosocial and nutritional care, as well as support for income-generating activities. Medical care includes the provision of antiretroviral drugs, treatment for opportunistic infections, monitoring of the CD4 cell count twice a year and viral load monitoring.

14. With regard to expanding the provision of antiretrovirals, national coverage is at 55 per cent, with the number of persons living with HIV/AIDS served having increased from 25,000 in 2014 to 40,000 in 2017.

15. All pregnant women living with HIV/AIDS and receiving regular antenatal care are given free care to prevent the transmission of HIV/AIDS to their children, in over 1,000 maternity wards throughout the country. The rate of mother-to-child transmission was 7.2 per cent in March 2016.

16. Awareness-raising activities continue, targeting fathers and mothers, religious leaders, students, local elected officials, workers and others, with the support of non-governmental organizations, government ministries and persons living with HIV/AIDS. As part of this, several materials have been developed and translated into various national languages. They cover topics such as human rights violations in connection with HIV/AIDS. This awareness-raising is supported by the Abidjan-Lagos Corridor Project, which aims to reduce the spread of sexually transmitted infections and HIV/AIDS, and to mitigate the socioeconomic impact of the epidemic in the corridor by increasing access to services for the prevention and care of sexually transmitted infections and HIV/AIDS. In spite of the progress made, much more awareness-raising is still needed to bring about behavioural change.

Conclusion

17. Since the consideration of its last report in October 2013, Benin has intensified its efforts, which it has broadly directed towards improving the protection of women's rights. To that end, it has taken steps to combat poverty, strengthen its judicial system, eradicate violence against women and girls, and promote their economic, social and cultural rights.

18. To the extent that its finances have allowed, Benin has not only taken all necessary measures to bring its national legislation into conformity, but has also developed national and sectoral policies to promote and protect the rights of women.

19. Benin has clearly made significant progress over the course of the reporting period. However, obstacles remain that cannot be eliminated without additional financial resources.

20. Benin seeks the support of technical and financial partners to achieve its objectives, strengthen its actions and initiatives, and promote women's well-being.